THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 20759 of 2007

Date:01-10-2007

Between:

K.Jangaiah and eight others

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Petitioners

AND

The Govt. of A.P. rep. By its Special Secretary, Hyderabad and two others

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Respondents

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ORDER:

The petitioners seek a writ of mandamus directing the 2nd respondent to regularize the house plots bearing Nos.6, 1, 3, 4, 5, 2, 9/15, 68/B and 69 part and Plot No.31 part situated in Chandanagar, Serilingampally mandal, Ranga Reddy District in the name of the petitioners herein respectively in terms of G.O.Ms.No.1601, dated 29.08.2005 of the 1st respondent pursuant to the proceedings of the 3rd respondent vide proceedings No.B/2538/2005, dated 28.01.2006 forthwith by declaring the action of the respondents in trying to interfere with the peaceful possession and enjoyment of the petitioners over the said plots, as illegal and arbitrary.

It is stated that the petitioners have purchased small extents of lands in Sy.No.207/AA situated at Chandanagar village. But, in fact, while selling the patta lands, the petitioners were put in possession of the lands in Sy.No.174 of Chandanagar village, which is a government land. Accordingly, the petitioners have made a representation to regularize their possession on payment of market value. It is further stated that on the said representation, the Deputy Collector and Mandal Revenue Officer, Serilingampalli mandal vide letter No.B/2538/2005, dated 28.01.2006 forwarded a report to the Collector, Ranga Reddy District to regularize the possession of the petitioners in Sy.No.174 of Chadanagar of payment of market value @ Rs.2,000/- per square yard and the prevailing market value in the vicinity is around Rs.4,000/- per square yard. It is stated that in the said report,

the Mandal Revenue Officer admitted the possession of the petitioners stating that during inspection, the petitioners have been found in possession of the land in Sy.No.174 of Chandanagar village, which is a government land.

That being so, I am of the opinion that the petitioners are encroachers and therefore, without following due process of law under A.P. Land Encroachment Act, they cannot be dispossessed from their lands.

Accordingly, the writ petition is disposed of directing the respondents not to dispossess the petitioners from their lands without following due process of law under A.P. Land Encroachment Act. No costs.

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V.ESWARAIAH, J.

Date:01.10.2007
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